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FINAL EVALUATION

OF THE

DECENTRALIZATION/TRADITIONAL AUTHORITY

COMPONENT OF THE
AFRICAN-AMERICAN INSTITUTE'S PROJECT

"DEMOCRATIC DEVELOPMENT IN MOZAMBIQUE"

COOPERATIVE AGREEMENT # 656-A-00-4029-00

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EXECUTIVE SUMMARY

In August 1994, US-AID signed a cooperative agreement with the African American Institute (AAI) to support its Democratic Development Project, whose aim was to assist both the government and non governmental sectors in fostering a decentralized and participatory civil society in Mozambique. The proposal consisted of two discrete but complementary components, the first--the Decentralization and Traditional Authority (D/TA) Project--to help the Ministry of State Administration (MAE) to define the role of traditional authorities in the proposed decentralization process, and the other--the NGO Democratic Development Project--to provide assistance to Mozambique's nascent NGO community. The D/TA component, which is the subject of this evaluation, aimed to carry out research to determine the role of traditional authority in relation to local government structures in the context of the government's democratization and decentralization program. It was designed to produce a data base lodged in the MAE which would be accessible to researchers and other interested parties, to disseminate educational materials resulting from the research, to organize work and discussion groups (CTDs) in a number of rural districts and to provide a training program for government and party officials.

During the course of the Project one national and eight province-level CTDs brought over one thousand traditional authorities, government officials, politicians, religious leaders and business people together to discuss the role of traditional authorities in local government. The CTDs were successful in bringing the debate on traditional authority to the attention of the media and the society at large. They also resulted in a mass of information which was utilized to produce educational materials and policy recommendations.

Five brochures were written on various aspects of traditional authority primarily for education of local-level government officials. They successfully reflect the Project's findings on the significance of indigenous institutions in contemporary Mozambique and will interest a wider readership. The brochures were distributed to the participants of the national CTD and to some 30 NGOs but are now not as accessible as they might be. A report on the results of the CTDs was produced and will be published by AAI for wide distribution in Mozambique.

Based on the research and the CTDs a series of recommendations including draft legislation--were formulated by the project team regarding the future role of traditional authorities in local government. The Council of Ministers debated the issue and opted to postpone legislation for the time being. It was decided instead to recommend informal relationships with traditional authorities on issues of importance such as land tenure for example. This recommendation has had profound effects on rural society where traditional authorities are once more trying court cases, cooperating with government officials in health campaigns, tax collection and in census taking. Not least in importance, the traditional authorities are once more fulfilling their religious obligations for the well-being of their communities.

The assimilationist Portuguese colonial project engendered little interest or respect for indigenous institutions. The post-independence FRELIMO government proscribed "tradition" in an attempt to bring about a new socialist order. These policies contributed to the formation of a social abyss between the urban educated elite and the rest of the country. The D/TA Project played a significant role in bridging this divide. Therein lies its greatest importance and impact.

1. THE PROJECT

In August 1994, US-AID signed a cooperative agreement with the African American Institute (AAI) to support its Democratic Development Project, whose aim was to assist both the government and non governmental sectors in fostering a decentralized and participatory civil society in Mozambique. The proposal consisted of two discrete but complementary components, the first--the Decentralization and Traditional Authority (D/TA) Project--to help the Ministry of State Administration (MAE) to define the role of traditional authorities in the proposed decentralization process, and the other--the NGO Democratic Development Project--to provide assistance to Mozambique's nascent NGO community. The D/TA component, which is the subject of this evaluation, aimed to carry out research to determine the role of "traditional authority"¹ in relation to local government structures in the context of the government's democratization and decentralization program. It was designed to produce a data base lodged in the MAE which would be accessible to researchers and other interested parties, to disseminate educational materials resulting from the research, to organize work and discussion groups (CTDs) in a number of rural districts and to provide a training program for government and party officials.

2. THE METHOD OF THE EVALUATION

This evaluation is based on an examination of the written record, interviews with the principal protagonists, and field visits to the districts of Zavala, Morrumbene and Homoine in the Province of Inhambane, and the districts of Manica, Gondola, Bárue and Sussundenga in the Province of Manica. The written record consists of annual reports, preliminary reports on the CTDs authored by Ms. Lundin, the mid-term evaluation by anthropologist Mr. Harry West, five brochures and ancillary documents produced by the researchers, and the transcripts of the CTDs.

Throughout the research for this evaluation I sought comments from those who had participated directly in the Project. I was, however, also interested in its broader impact. I therefore studied a series of newspaper articles collected by AAI which refer directly to the Project or else to other events relating to decentralization and traditional authorities. I took the advantage of meetings with other social scientists to gather their views on the Project and their opinions on the role of traditional authorities. Finally, in my conversations with District Administrators, traditional authorities, members of Grupo Dinamizadores, party politicians and others I was able to catch a glimpse of the present-day dilemmas they all confront as they jostle with one another for power, wealth, prestige in the name of one or another model of development. A complete list of interviewees is attached as Appendix I.

This evaluation is organized, therefore, not only as an assessment of the quality and impact of the Project, but also as an analysis of the contemporary situation which it has helped bring about. By so doing, I hope to demonstrate the significance of the Project and suggest ways in which the knowledge it has produced might be put to use in the future.

The Project under evaluation is innovative both in relation to its subject matter and the methodology employed. Until the Project got under way "tradition" was almost totally taboo in Mozambique, not only for the ruling party but also for the "development community" as a whole. The methodology employed, i.e. the localization of research within the Ministry of State Administration and the organization of high-profile regional seminars, represented a most ambitious attempt to bring together public officials, academics and politicians in a common cause. The issue was also politically

¹ The term "traditional authority" is problematic. As I shall argue later in this report, the term "tradition" is not purely descriptive. It is more an ideological construction which seeks to attribute legitimacy through a notion of timeless immutability.

highly charged. The Mozambican National Resistance (RENAMO), which had governed the areas it had conquered through traditional authorities, had incorporated the return of tradition into its political platform. The Project was, therefore, bound to encounter difficulties and disappointments. But the risks were as high as the stakes, and, I would argue, well worth the taking.

3. PROJECT BACKGROUND

The Project had been initially conceived within the MAE in 1990 under the inspiration of the then Minister, Mr. Aguiar Mazula. A new liberal Constitution had been promulgated, setting the scene for a democratic order. With the publication of French anthropologist Christian Geffray's account of the war in the district of Erati in Nampula province² and growing evidence from other sources, a small number of influential Mozambicans, including Minister Mazula, had come to believe that South African support had been a necessary but not sufficient condition for the perpetuation of the civil war. The unpopularity of FRELIMO policies had also played a part, not least the attempt to proscribe "tradition," and to insist upon collective forms of production under the control of party cadres, *Grupos Dinamizadores* (GDs). Minister Mazula felt that peace, reconciliation and the building of an organic civil society in Mozambique would depend on reconciliation not only between RENAMO and FRELIMO but between the people of Mozambique with those indigenous political and religious institutions which had been proscribed by FRELIMO. In a sense, these two "reconciliations" were one and the same, since RENAMO had utilized traditional authorities to govern over the areas it had conquered and had singled out members of the GDs as their principal target for violence.

In order to place the issue on the public agenda and to begin initiate policy change, Minister Mazula invited anthropologist Iraê Lundin to establish a research team in the MAE to investigate the situation of traditional authorities throughout the country. Accordingly, in 1991, under a grant from the Ford Foundation, the team conducted initial research in Tete, Sofala, Zambézia, Nampula, Cabo Delgado and Manica. Meanwhile negotiations were under way between RENAMO and FRELIMO resulting in the signing of a peace accord in Rome in 1992.

In 1993 the initial research results were formally presented at an international seminar at which invited scholars from Zimbabwe, Kenya and Nigeria also presented papers on the situation in those countries for comparative purposes. The research confirmed that traditional authorities continued to enjoy considerable prestige throughout the country and confirmed the existence of a widespread belief that the social ills then afflicting the population such as hunger, growing criminality and even the war itself had been brought about by the denial of "tradition." The research suggested that the general tenor of opinion in the countryside was that the recognition of traditional authority was essential to the consolidation of peace and the future of democracy. The seminar recommended that the state formally recognize traditional authorities as part of its recently launched decentralization program. Finally, the seminar recommended that the MAE continue its research efforts by involving other relevant government agencies and extending the discussion to local government officials as well as the traditional authorities themselves.

In its early phase, the project met with considerable opposition from influential FRELIMO intellectuals who decried what they saw as a neo-traditionalist movement aimed at restoring an archaic "feudal" political institution contrary to the tenets of electoral democracy. The research results were, however, convincing, and by 1993 even the harshest critics had come round to the view that traditional authorities should have some role to play in local-level governance. In 1994, a the Municipalities Bill,

² Geffray, Christian. 1991[1990]. *A Causa das Armas: Antropologia da Guerra Contemporânea em Moçambique*. Lisboa: Editores Afrontamento.

which had been drafted by MAE officials, was passed into law by the National Assembly (Law 3/94). The Bill recommended that traditional authorities be "heard" (*auscultar*) on issues of importance.

The Municipalities Law represented Government's tacit rather than formal recognition of the existence and importance of traditional authorities. It did not stipulate exactly how traditional authorities would be defined, nor what their exact status and role would be in local government. The Ministry decided, therefore, to extend and deepen research in order to develop concrete policy proposals. Mr. Michael Turner of US-AID put the Ministry in touch with AAI, which incorporated the MAE's proposal into a larger proposal for a project in support of "Democratic Development in Mozambique." This was approved by US-AID within the ambit of its Democratic Initiatives Project and an agreement signed in August 1994. Ms. Célia Diniz of AAI assumed "administrative and overall responsibility," while MAE's Project Manager, Ms. Lundin, assumed "principal responsibility" for the technical direction of the Project.

Shortly after the 1994 elections, Minister Mazula was transferred to the ministry of Defense and replaced by the former governor of Nampula Province, Alfredo Gamito. The new Minister maintained the issues of decentralization and traditional authorities as a high priority and the project was lodged within the Núcleo do Desenvolvimento Administrativo (NDA) which had been instituted by the previous minister. Lawyer Mr. Francisco Machava was appointed its National Director and five young social science graduates who had been students of Ms. Lundin employed as research assistants. However, Ms. Lundin then suffered a serious accident and was only able to resume her work in February 1995, when the Project finally got underway.

4. PROJECT ACTIVITIES

4.1. WORK AND DISCUSSION GROUPS

The most important innovation of the new Project, which derived from the recommendations of the 1993 seminar, was to extend the discussion to the rural districts themselves, by organizing workshops (Círculos de Trabalho e Discussão--CTDs) in rural districts throughout the country at which traditional authorities, local-government officials and other influential leaders would learn of the Ministry's research results and their plans for decentralization. They would also be encouraged to offer their own comments and suggestions.

Altogether nine workshops were held, the first eight in the provinces of Zambézia, Nampula, Tete, Gaza, Manica, Inhambane, Niassa, Cabo Delgado and the final wrap-up CTD in the city of Inhambane. It was decided to hold the workshops in rural districts rather than the provincial capitals in order to draw attention to local-level administrative issues and because their populations are organized fundamentally along kinship lines. Attendance averaged 125 participants, predominantly traditional authorities, but also including government officials, religious leaders, political party members, members of local and international NGOs and business leaders. The discussions were recorded and the tapes transcribed and translated into Portuguese. A preliminary report was produced for each CTD by Ms. Lundin, describing the specific characteristics and socio-economic problems of each district involved, and setting out the principal issues raised by the participants. On the basis of a final report of all the CTDs, AAI's U.S. Project Manager Alison Raphael prepared a very clear and useful account of the CTDs which will shortly be published and distributed.

The CTDs were carefully planned to ensure that language would not be a barrier to discussion. Prior to each seminar members of the research team visited the chosen district to elaborate a suitable vocabulary in the local languages to express the issues at stake (decentralization, for example), and to make sure that key concepts such as

family, lineage and clan were correctly translated. The team also identified and trained local translators and discussion facilitators to guarantee the maximum of participation and communication. Project personnel affirm that this technique was much appreciated by seminar participants. The use of local languages was considered an innovation in contrast to the standard Mozambican practice of conducting meetings in Portuguese with interpreters for those who need them.

Each seminar followed a similar routine. A local high-ranking government official opened the debates followed by Ms. Lundin who presented the results of the research on traditional authorities and encouraged the members of the seminar to voice their opinions on the decentralization process. Mr. Francisco Machava, head of the NDA, and the local provincial representative of the Ministry spoke to the issue of decentralization, outlining the principal issues at stake.

Seminar participants were then divided into smaller discussion groups according to language and spent the following one and a half days discussing the role of traditional authorities in the past, the present and the future. On the third and final day, all members joined in a plenary session to discuss the results of each discussion group. The organizers did not ask for nor expect agreement on all issues either within or between seminars. Indeed, the results of each seminar are slightly different. Even so, an examination of the results of each CTDs show the existence of what may be described as a "national consensus" on the recent history of the traditional authorities. Most participants agreed that before colonization the traditional authorities were the only form of government known to the people. They organized social life, were responsible for the defense of their followers, judged law cases, and carried out religious ceremonies. The colonial regime utilized some, but not all, traditional authorities in its own interest, nominating them *régulos*. Those who failed to conform to the colonial project were demoted and other more pliant *régulos* put in their place. *Régulos* collected taxes, recruited labor, maintained infrastructure such as roads and bridges, tried cases, distributed land, monitored local commerce and generally kept government informed on the situation in their areas. For these services, they were provided with uniforms, a salary according to the number of their following, and, at times, a government-built house.

After Independence, they were accused of having been collaborators of the colonial government and duly stripped of their powers. Party activists were organized into *Grupos Dinamizadores* (GDs), which took over control of local government and administration.

The seminars were unanimous in criticizing the GDs, affirmed the continued relevance and legitimacy of the traditional authorities and urged that they once more be empowered to take a prominent role in local government. Seminar attendants were concerned to state that they did not contemplate a return to the colonial system. All stressed, for example, that traditional authorities should be chosen by the communities themselves, never by government. Some felt that it would be inappropriate to use uniforms because of their connotation with the policing functions of the colonial *régulos*. In most other aspects, however, the seminars suggested a return to the status quo ante. Traditional authorities should maintain close contact with government authorities, passing on instructions from government to the people and stimulating popular participation in development. They should try cases, maintain public order, collect taxes and oversee the utilization of natural resources. During the seminars, participants expressed great concern with the rise in criminality and suggested that only the traditional authorities had the power to control crime and strengthen "traditional values." In return they should be officially recognized by the state, receiving either a uniform or some other symbol of their special status, receiving payment in accordance with the number of their following or as a percentage of tax collected. The issues of party politics was also discussed and differences of opinion were registered. However, most agreed that party politics and local administration

should be kept apart, suggesting that traditional authorities be barred from party politics or competing for elective office.

The final CTD was held in the provincial capital of Inhambane due to a last-minute decision by the Minister not to hold it in Maputo. As a result, most international participants were not able to attend and some provinces were not represented adequately by traditional authorities or civil society. Media coverage was minimal. Even so, the national CTD brought together officials from the Ministries of Health, Environment, Social Action, and Culture, Youth and Sports, who confirmed the importance of close cooperation with traditional authorities.

The methodology employed ensured the fullest participation by all. In particular, the research team is to be congratulated with taking care with language issues. This guaranteed a clearer understanding of the issues at stake and was fully appreciated by the participants. The research team is further to be congratulated on bringing so many participants from various walks of life to the discussions in what were quite clearly very difficult circumstances. The CTDs more than any other activity undertaken by the Project brought the issue of traditional authority well into public debate. Furthermore they have generated a mass of information, basically the transcripts of the meetings, which is available on diskette. Ms. Lundin points out that the importance of the CTDs actually went beyond the question of traditional authority. For many rural people, the CTDs represented the first time ecumenical and non-partisan meetings to discuss public issues to which they had been invited.

The methodology also had consequences which were perhaps not anticipated by the research team. One of these is to have produced such a striking consensus on traditional authority. While this may be simply a reflection of the coexistence of similar beliefs throughout the country, it might also be partially a result of the CTD methodology which, by presenting the findings of the research team *before* the opening up of the discussion, may have provided a blue-print for the consensus that followed. Ms. Lundin acknowledges this phenomenon: "Questions and comments usually followed the presentation of our message. The feelings that were expressed centered in an attempt to confirm what had been said, but adding ideas and suggestions about procedures and the competence of different community members such as the administrator, heads of departments, political leaders and traditional chiefs."³ It is possible to argue that the CTDs operated not so much to "listen" to (auscultar) the views of the participants as to help them "confirm" the Project's shared understandings on traditional authorities in the past and in the present.

Mr. West pointed out in his mid-term evaluation that action research on sensitive political issues carries with it certain dangers. These derive from the complex set of meanings, understandings and expectations which are generated in the very process of the research. The researchers in question are not impartial and anonymous beings external to the "reality" they are trying to understand and change. On the contrary, they are an integral part of that "reality," which is transformed as the research/dialogue proceeds. In this particular case, where the researchers are (and are perceived to be) "doctors" under the auspices of central government, the situation becomes even more complex.

One of the dangers observed by Mr. West was that the CTDs might have fostered albeit inadvertently a certain degree of frustration among the traditional authorities who "left with raised hopes that changes would be immediately forthcoming. Some even took the CTD as a mandate to tell their communities that they once again had authority to govern as *régulos*." Although the NDA found this observation objectionable, certain project documents sustain it. In his observations on the first

³ Iraê Lundin, Coletânea trabalhada dos relatórios preliminares dos círculos de trabalho e discussão - CTDs, realizados como actividade do projecto," Maputo: MAE (mimeo)

two CTDs in Angonia and Angoche, one of the junior researchers, Hamido Mucussete, states: "they [traditional authorities] affirmed that they are tired of these meetings whose organizers, be they from the provincial or central government, never put forward solutions. For example, in the last meeting held in Nampula between the Provincial Governor (or President of the Republic?) and some traditional authorities, the government representative promised that at the next meeting the government would present a formal position in relation to Traditional Authority. For this reason, they [the traditional authorities] demanded that this time they should not return to their respective communities before having heard a pronouncement from government to this effect. Rumors were circulating that the traditional chiefs agreed to the invitation because they thought, or had heard, that the time had finally come for them to be formally recognized by the government."⁴ Interestingly enough, the issue was excluded from the official Summary of the Nampula CTD.

Most traditional authorities with whom I met voiced similar frustration, because, having understood that the invitation to the CTDs was a sign of their long-awaited restoration, found that had been called once again to "plead their case." As one *régulo* put it, "we feel like the young boy sent to the baker for bread. He is given money but the bakery is empty. He is sent again the following day, but still there is no bread. He is sent again on the third day only to return empty-handed. On the fourth day he doesn't return. Most commonly, the authorities I interviewed complained that they had not yet received any monetary recompense for their work, or uniforms as public evidence of their status. One even went to far as to suggest that the Administrators should also be issued with uniforms and advocated a return to the "order" that prevailed during colonial days. In fact more than once village elders ardently defended the hierarchical colonial order. They felt insecure due to their informal status, unsure of what they could or could not do⁵ and unclear about their hierarchical position vi-à-vis the *Grupos Dinamizadores*.

The meetings also created problems for some District Administrators. Two of them voiced great concern that the CTDs had inadvertently played into the hands of the opposition party RENAMO which has consistently preached the restoration of the *régulos* as an important component of its political platform. They now have ample "proof" that FRELIMO is only interested in "utilizing" the traditional authorities when convenient but not in formally re-instating them. Some traditional authorities apparently interpreted the CTDs as yet another example of "utilization," this time of their knowledge for research purposes! As a result, the Administrators now find that every time they try to discuss matters with the traditional authorities these are subsequently approached by RENAMO politicians who immediately set about "undoing" the progress made.

The responsibility for these frustrations can not be laid at the door of the research team, who believed in good faith that the CTDs would be followed by policy decisions which would satisfy the demands of traditional leaders. On December 12, 1995, Minister Gamito was reported as saying that Government would make a pronouncement on traditional authorities towards the end of that month. "We are trying to define what their role should be, and how they should relate to government bodies. The work is over and the Executive is pondering the issue,"⁶ In July the following year, the *Diário de Moçambique* reported Minister Gamito as saying in

⁴ Hamido Mucussete. 1995. "Balanço de Actividades no âmbito dos CTDs nos Distritos de Angoche e de Angónia," Maputo: Ministério da Administração Estatal

⁵ In July, a newspaper article reported the words of a headman from Niassa: "I was empowered by FRELIMO as a *régulo* about two years ago, but I already was one during the colonial period. What amazes me is that since I was empowered, I exist as a white elephant. No-one tells me how I should relate to the population, with the administration and other governmental structures. They dumped upon me a burden which even they don't know how I am supposed to carry." (Notícias, 19/6/97)

⁶ *Diário de Moçambique* 12/12/95

Beira that a legal document was “in an advanced stage,”⁷ and this was confirmed by Ms. Lundin in Notícias a few days later.⁸ By December that year, however, Prime Minister Pascoal Mocumbi was quoted as stating that although he and Government had the greatest respect for traditional authorities and would continue to consult them on many issues, specific legislation would be impossible due to regional differences. “We can only legislate for general principles; all those who demand legislation for traditional authorities are demagogues who are only interested in creating problems for us. Traditional authorities vary according to each different tradition. How could we draw up a law that would be applicable from the Rovumo to Maputo?”⁹ Just prior to the final CTD in Inhambane, Minister Gamito affirmed that majority opinion within government felt that traditional authority should not be integrated into the “logic of the Modern state.” He thought that specific legislation would not be appropriate, rather a few administrative recommendations to guide the traditional authorities in order to guarantee personal liberty and human rights.¹⁰ In saying this he was clearly referring to a common concern to which I have already referred and which I heard from district officials during my visit to Manica and Inhambane, namely that the administration of justice by traditional authorities frequently involved summary arrests, imprisonment and corporal punishment.

Although the research team can not be held responsible for the Government’s decision not to introduce specific legislation on the traditional authorities, perhaps the NDA could have heeded Mr. West’s warning and been a little more sensitive to the changing political environment in which they were operating, and the dynamic produced by the interactions before, within and after the CTDs. After all, as my brief account of the newspaper record shows, it must have been clear to all by July 1996 that traditional authorities would not be incorporated into formal governmental structures, at least in the short term.

Even if the CTDs did not result in the “restoration” of traditional authorities, they did enable over a thousand Mozambicans from the countryside and the towns, leaders of kinship groupings and political parties, government officials and business people to discuss with great frankness a topic which had previously been barred from the public sphere. By far the most important positive impact of the Project has been to bring these issues into the open air of democratic debate.

4.2. EDUCATIONAL MATERIALS

The original proposal foresaw the production and distribution of materials that would “educate and create dialogue at the local/district level” and that would also “support administrative training.” These materials would include popular brochures for civic education, didactic materials on/for administrative reform and for MAE’s training program, and brochures/case studies/informational materials which would be distributed to international and Mozambican NGOs, policy makers, local government officials, civic leaders and the general public.

The Project produced five brochures, authored by the young research assistants. They all are introduced by a short chapter which sets out the philosophy of the NDA and the D/TA project and which resumes in very broad terms the principal historical transformations which have influenced the development of traditional authority in Mozambique, from the Portuguese conquest and the subordination of traditional authorities, through the years of one-party rule when they were ousted from the formal political structures, to the present situation of the “market economy,”

⁷ Diário de Moçambique, 4/7/96

⁸ Notícias, 13/7/96

⁹ Notícias, 12/12/96

¹⁰ Notícias, 4/2/97

The brochures are designed to give the reader a general idea of the role and value of "traditional institutions" showing what there is in common between the various "population groups" in Mozambique and indicating some differences, such as, for example, the rules of inheritance and succession in the matrilineal north of the country and the patrilineal south. In effect, they present a repertory of forms of kinship organization, methods for the selection and role of political leaders, judicial procedures, systems of land tenure and conservation, and initiation ceremonies. By so doing, they persuade those who may still be skeptical about the significance of indigenous institutions that they not only exist, but play an important role in the ordering of social life.

The argument of the first brochure, *Traditional Authority* by Ambrósio Cuehela, faithfully expresses the general conclusions of the CTDs, describing traditional authorities as territorial lords recruited from a particular lineage, whose functions were severely reshaped during the colonial regime and who operated in a clandestine fashion during the heady years of Marxist-Leninist rhetoric. Perhaps the most important argument of the brochure is that "communities" know how to define their legitimate leaders and that the most unacceptable interference of the colonial regime was to oust and promote *régulos* in accordance with the interests of the administration. Finally, the brochure argues that the legitimacy of the traditional authorities is grounded in their role as mediators between the dead and the living. "These beliefs [in the powers of the ancestors] comfort us in times of crisis, and strengthen our personality. Since all of us share these beliefs, they are an aspect of national unity."

The second brochure, *Social Organization in Traditional Society* by Domingos Fernando, covers much of the same ground as the first, but adds information on kinship, marriage and succession with special reference to the differences between patrilineal and matrilineal systems. The brochure is careful to point out that traditions are not immutable and ends with a discussion of the impact of urbanization, the media, and Christianity on family values.

In the third brochure, *Civic Education in Traditional Society*, Rufino Alfane looks into the transmission of knowledge, morality and ethics in "traditional" society by traditional authorities, elders, religious specialists and family members, through initiation ceremonies, folk tales, myths and proverbs. The booklet ends with an account of the sanctions applied by the living and/or the dead against wrongdoers. As in the previous brochure, this one touches on social change, pointing to the "destructuring" of some aspects of traditional culture due to the villagization under the Portuguese, communal villages under FRELIMO, wars, and the influence of schools. It ends, however, with a declaration of faith in the endurance of tradition, especially in times of crisis and pain. "Much pain was suffered in the country as a result of the war, drought and other disasters. Even those who thought they were living in other cultures, sought out their tradition, the tradition of their parents and grandparents when they felt pain."

Hamido Mucussete in his *Land and the Environment* again runs over the basic kinship structure of matrilineal and patrilineal groups in order to discuss rules for the acquisition and inheritance and mechanisms for resolving conflict. This brochure also contains a section on land utilization and conservation with due reference to the importance of religious beliefs and practices. The booklet insists on the almost sacred link between men [sic] and the land in "African tradition." "This creates the need to return to one's lineage home from time to time to carry out ceremonies, to feel purified and free from debt in relation to one's ancestors. This is the commandment of tradition for the cure of many pains and evil things that happen to persons or families."

Finally, *Norms, Rules and Traditional Justice: How to avoid and resolve conflicts?* by

Orlando Nhancale describes the role of traditional authorities, both secular and spiritual, in the maintenance of the social order, the resolution of conflict and punishment of "deviant behavior." Again, the reader is led through the basic tenets of kinship organization and the legitimization of authority, in particular chiefship and the council of elders. Considerable attention is paid to religious rites and ceremonies, "in the past and to the present day" designed to heal the wounds of conflict and war.

As an apology for the value of "traditional culture" in Mozambique, the brochures are surely highly successful. They faithfully reproduce the wisdom of the many Mozambicans who were interviewed during the research, expressing what might be described as a prevailing mood in the country, a feeling that reconciliation with the ancestors might bring about final and enduring peace. For all the caveats the authors carefully make, noting the dynamic nature of tradition for example, the brochures betray a nostalgia for a somewhat idealized and ordered "traditional" world which has been ravaged by pre-colonial wars, colonialism itself, the hostility of FRELIMO and, most recently, the "market economy." The overall tenor of the brochures is redolent of British structural-functionalist anthropology, which was developed in a similar political context, where ethnographers and missionaries sympathetic to the plight of colonized peoples felt impelled to convince racist and ethnocentric empires that their subject peoples possessed functional cultures. By so doing they often underplayed the complex transformations brought about by colonial conquest.

The reasons for the "neo-traditionalist" tone of the brochures are not difficult to enumerate. In the first place, they reflect the views of the traditional authorities themselves rather than the population as a whole. This is because the research concentrated on interviews with *ex-régulos* rather than field observation and interviews with a wider range of social actors. Secondly, they reflect a strong "cultural nationalism" which is to be found among parts of the intellectual elite and also significant sectors of the population in general. This represents an understandable reaction to the first years of independence during which indigenous institutions were severely repressed. But it may also be interpreted as one of the effects of the recent incorporation of Mozambique into the Western world which not only values the universal principles of human rights, democracy and the "market economy," but also recognizes and celebrates "culture" and "identity" in strong contrast to the defunct socialist bloc which had such a strong influence over the Mozambican State during the first years of independence and which expressly subjugated particularistic identities in favor of citizenship *tout court*.

A further factor influencing the nature of the brochures is the extreme youth of social science teaching in Mozambique and of the academic debate on the role of culture in development. During the socialist years, social sciences was not taught at the university and research was monopolized by the Center of African Studies. So strong was its Marxist orientation that kinship, language, ethnicity and religion were exorcised by the overwhelming power of the concepts of class struggle and the alliance of the workers and peasants. It is not surprising that the first attempts to break out of the Marxist tradition tend to overstate the case, reducing the importance of specifically sociological variables such as urbanization, labor migration, and inter-generational conflict, simplifying the tradition/modernity dichotomy and exaggerating the importance of "culture" in the interpretation social phenomena. Nevertheless, a positive characteristic of the brochures is that they were authored by young aspiring social scientists. It is to Ms. Lundin's great credit that she not only attracted the attention of these young students, but helped supervise their work, offering them the opportunity to hone their skills as members of the D/TA team with responsibilities for preparing the brochures for publication.

Whether the brochures present an "accurate" account of the role of traditional authorities is disputable, given the considerable disagreement in general over this issue. As I have already suggested, however, the brochures do present a somewhat

idealized version, probably because most of the information gathered was voiced by the traditional authorities themselves. The brochures, like the reporting on the CTDs, tend to play down the kinds of tension and conflict that are inherent to "indirect rule" largely because traditional authorities and the "modern state" are seen as somehow independent of one another. They fail to point out that traditional authority as now understood by most Mozambicans is very much a product of the colonial administrative scheme through which whites and *assimilados* were recognized as citizens with the rights and obligations defined by the Constitution and the civil and criminal codes while all other Africans (*indígenas*) were subject to customary law (*usos e costumes*), whose guardians and final arbiters were the *régulos*.

Considering that "tradition" and "modernity" have been the subject of such dispute as to have jeopardized seriously their credentials as useful analytical categories, I was surprised to find them in fine fettle throughout Mozambique and in the Project documents and brochures themselves. They are never clearly defined--either as "native" or "analytic" categories of thought with the result that their (varied) meanings remain implicit, creating a not always warranted juxtaposition between "local African society" and the "modern state," as if the two were not in dialectical relationship. While this may be the way in which contemporary traditional authorities represent their role to themselves and to the research team, it is surely the case that so-called "modern state" is permeated by "tradition," if one uses these concepts to refer to rational bureaucracy and kinship solidarity respectively. By the same token, "tradition" partakes of "modernity" as chiefs demand recognition by the State through the issue of salaries, uniforms and the right to hoist national flags over their government built houses.

The brochures suggest that traditional authorities can and should be chosen by "communities" according to customary law, the role of the State being reduced to merely recognizing a legitimacy which is conferred consensually by "local communities." In point of fact, however, the experience for many Mozambicans of pre-colonial wars of conquest followed by the colonial occupation have created a "tradition" in which the legitimacy of local kinship-based leaders is a disputed asset both on the part of the conquerors and the conquered. The authors note that the traditional authorities were "instrumentalized" during the colonial occupation. Many *régulos* had already been subsumed as vassals by militarized African societies prior to the Portuguese occupation. These had become accustomed to negotiating the tense interface between conqueror and conquered. With the advent of the colonial state, they were forced into a complex and conflict-ridden intercalary role as representatives of government to the people and people to government, as the lowliest government servants and the loftiest indigenous leaders. Some sided with FRELIMO and were demoted, killed or deported, others sided with the Portuguese and won the hatred of their people, while still others, maybe the majority, steered an uncanny course in an attempt to keep both sides happy. To claim that it is possible for the present government to recognize traditional authorities without creating similar tensions is ingenuous, since the interests and values of the "modern" State cannot always coincide with those of local kinship-based communities, regardless of the color of its skin or its ideology. The removal of Portuguese domination did not eliminate the tensions that exist between the interests and organizational principles of a centralized state and those of the "communities" subsumed by it. If anything, these were increased with FRELIMO's campaign against what was seen as an archaic and unjust "tradition." The advent of an electoral democracy and a "market economy" has freed many tongues, but it can only administer difference and conflict, not eliminate them.

One area of potential conflict is the rule of law. The transcripts of the CTDs reveal frequent somewhat "undemocratic" demands for "order" and "hierarchy." Not infrequently, traditional leaders speak nostalgically of harsh punishments for crime, decrying the state judicial system for being too lenient. In my visits to Inhambane and Manica, I heard similar remarks from the traditional authorities I spoke to and

concerned opinions from administrators who recognized a serious conflict between constitutional and "popular" notions of justice. One administrator after another insisted that traditional authorities were all well and good so long as they did not act contrary to the law and the Constitution. In particular they referred to differences of opinion about the settlement of legal disputes, with the traditional authorities invoking harsh penalties which run counter to the law and the Constitution. In one district, for example, a local traditional authority had condemned a young mother who had killed an old woman neighbor for killing her baby through witchcraft to banishment from the region and a fine of six goats. The administrator insisted that the mother be tried under the aegis of the State, even though he recognized that such a course of action would have limited legitimacy from the point of view of the people involved. Sentences meted out "in the name of the Republic of Mozambique," carry little weight, one administrator claimed, in *resolving* disputes, since they operate on the basis of legal evidence and argument (what he called "reason") rather than what he described as "the truth." This issue appears with regularity in the Press.

Another area of possible conflict is the position of women. Equality between the sexes is enshrined in the Constitution and Mozambique is signatory to the international conventions regarding women's rights. And yet "traditional" societies in Mozambique are based on a marked sexual division of labor and power.

Finally, and again because of their normative nature, the brochures tend to underplay the importance of those segments of society who are frankly opposed to the traditional authorities. These include not only those intellectuals who argue that they are "feudal" and "retrograde" and anathema to democratic governance, but also those young folk whose respect for hierarchy and authority in general has been whittled away by years of war and the dispersal of families,¹¹ and those women who adhered to the emancipatory message which accompanied independence.

As an educational tool, the brochures will be very useful for those who have been most affected by the anti-tradition efforts of the Portuguese and FRELIMO, together with those who have little knowledge or respect for kinship or the ancestors. They will also provide neophyte administrative officials and urban-based government functionaries with a convincing argument in favor of taking local communities and their beliefs seriously. Since the brochures are normative rather than problem-oriented, however, they will not be all that useful in helping local officials administer the complex social life of the districts. The problems confronted by most administrators are not so much due to lack of knowledge about local tradition, but to the difficulty of administering situations of conflict that arise as "traditional" and "constitutional" norms are invoked in real life situations.

The mid-term evaluator pointed to "substantial problems" that had been encountered in the production of the brochures which were already in their fourth draft. He felt that they presented a simplified account of traditional authority and that the language was too dense and academic. He suggested that the texts be revised to address the issues raised by historical events and consequent transformations in the functioning of traditional institutions, and to incorporate material gathered over the course of the CTDs. He also urged the hiring of a specialist in rural communication to assist the NDA to make the content "more anecdotal in style," and the language and presentation more attractive and suitable for less formally educated readers.

Unfortunately it was not possible to identify a specialist in rural communication at short notice. Instead, the five brochures authored by the junior researchers went through a further process of revision within the NDA which involved readers

¹¹ While interviewing an ex-régulo in the district of Manica, a young lad passed by with his "ghetto blaster" in full spate. The old chief called to him. The youth glanced towards the old man, reduced the volume, essayed a perfunctory salute, raised the volume again and continued his journey.

indicating the difficult passages and concepts. The substitute technique of clarifying difficult concepts by adding explanations in parentheses has led to a hybrid text which is neither truly "popular" nor truly "academic." I tend to agree with the two administrators I met who had received the texts. These felt that they would be difficult for people with little formal education to read and yet they were too general for those who had more education and experience in public administration:

As far as distribution is concerned, I understand that 1,000 sets of brochures were printed in time to be distributed to those who participated in the final CTD in Inhambane in April 1997. On my travels around Inhambane and Manica, I did not see too many brochures. I understand from the Project Coordinator that the many people who have requested copies from the Ministry have returned empty-handed, and are making photocopies instead. AAI did distribute brochures to some 40 NGOs in April, 1997 and announced the availability of the brochures through the AAI-funded newsletter *Boletim Informativo*. Even so, I have met members of the international NGO who are keen to gain access to the brochures although they do not know how to do so.

4.3. ANALYTICAL STUDIES AND POLICY REFORM RECOMMENDATIONS

The research and the CTDs were intended to provide formal recommendations on a number of related topics: topologies of socio-political and institutional groups in Mozambique; criteria for structures and methods of integrating traditional authority into new institutional administrative models; criteria for defining and instituting functional administrative decentralization; foundations for the evaluation/revision of both geo-political divisions in Mozambique and of toponymies; and strategies, short to long-term, to develop traditional authority and power within the socio-economic system.

The Project has produced a mass of information which is in the form of unedited and as yet uncatalogued transcripts of the CTDs, and a number of analytical papers which were presented by Ms. Lundin at seminars in Maputo and abroad.

When it came to concrete policy recommendations Project staff were confronted by a dilemma. While they were convinced of the importance of traditional authorities in local governance, they realized that their formal incorporation into the structure of government could lead to the kinds of difficulties engendered during the colonial period. In particular, they wished to avoid curtailing the flexibility of the institution by "freezing" it into a bureaucratic mold. All the same, draft legislation relating to traditional authorities was drawn up and submitted for discussion by the Council of Ministers in March 1966 (Appendix II). This legislation proposed that traditional authorities be formally recognized as integral components of local governmental structures receiving salaries in exchange for their services.

The Council of Ministers, however, decided not to press ahead with the proposed legislation, preferring to encourage the existing informal collaboration between state functionaries and traditional authorities, as well as with other community leaders.

Although the Project did not result in the passing of specific legislation, it provoked intense debate on the issue of "traditional authority" and has served as the basis for important changes in the relation between the MAE and traditional authorities. Since about 1992 onwards, district administrators have been encouraged to establish working relationships with traditional authorities to enhance communication with local communities. In this "enabling environment" traditional authorities have emerged into public space in ways that have varied from district to district depending on local circumstances. In some areas, such as Morrumbala, for example, a US-AID-funded local non-governmental organization grouping men and women born in

Morrumbala, Zaone Morrumbala, has been successful in promoting dialogue between party leaders, other NGOs and traditional authorities to design development initiatives for the community.¹² In the districts I visited, regular meetings are held between provincial governors, district administrators, and traditional authorities. During my field trip I encountered a number of meetings of diverse community leaders to discuss arrangements for the national census, for example. In some districts, traditional authorities are collecting taxes, and in all of them they are hearing court cases, notably, it would seem, those involving witchcraft where their expertise is in demand to assess the validity of accusations and to demand reparation from confirmed malefactors. These judicial procedures are financed by payments made by the parties in dispute but primarily by those found guilty.

District authorities have also encouraged the holding of religious ceremonies under the aegis of chiefs and religious specialists. Last year in Bárue, for example, the district administrator helped stage a major event in commemoration of the Bárue Revolt at which ministers, governors, administrators rubbed shoulders with traditional authorities both secular and spiritual. The District Administrator of Bárue, who had participated with enthusiasm in the Manica and national CTDs, told me of his enthusiasm for this event and praised the D/TA project for having restored legitimacy to "tradition." His description of his own involvement, which included instruction into the proper treatment of spirit mediums, together with that of the many government authorities, suggested a kind of collective catharsis as they paid open homage to local spirit mediums who had for so many years been officially proscribed.

While close collaboration between traditional authorities, district administrators and *Grupos Dinamizadores* has been successfully achieved in some districts, in others it has not been without difficulties. In three districts that I visited, disputes were reported between the descendants of *régulos* who were empowered by the colonial administration against the dictates of "tradition" and the descendants of the "true" leaders. The administrators are not sure how to deal with these issues since they appreciate that decisions taken during the colonial period have resulted in a new "tradition" which cannot easily be undone. The conflict between "traditional" and constitutional norms is also causing headaches, as in the case of one *ex-régulo* who arrested a person accused of selling palm wine on the roadside against his express commands. The *ex-régulo* will have to respond to local justice officials. But above all the question of hierarchy is preponderant. Traditional leaders are still unsure of their exact status, above all in relation the *Grupos Dinamizadores*. They would like to know who give orders to whom. This problem is less evident in the Province of Manica where the GDs have apparently all but disappeared. In Inhambane, however, the question is quite serious. The Provincial Governor went so far as to suggest that the a lasting peace would depend on eliminating the persistent friction between traditional leaders and the *Grupos Dinamizadores*.

Meanwhile, the traditional authority question grows as an important party political issue. RENAMO continues to insist on the legal restoration of wooing their support at local level and arguing their case in the media and in the National Assembly. The July 1997 debate on the Land Law in the National Assembly is a case in point. While RENAMO deputies argued that the legislation should make specific mention of traditional authorities and customary law in the distribution of land titles, FRELIMO politicians preferred to recommend consultations with "local communities" as a whole so as to allow for *all* community leaders to express their opinion, including the traditional authorities. FRELIMO also rejected specific mention of customary law for fear that this would prejudice the position of women (as if "modern" legal procedure did not contain any gender bias!). The President of the Parliamentary Commission for Agriculture, Regional Development, Public Administration and Local Authorities,

¹² "Governo, régulos e partidos de mãos dadas em Morrumbala," Notícias, 26/11/96

Hélder Mutéia, was reported as saying that it would be absurd to affirm that there is no discrimination against women in customary land distribution in Mozambique.¹³ Nevertheless, Mr. Mutéia has expressed the desire to conduct research into the ways in which traditional authorities could play a part in the settlement of land disputes, and the chair of the Interministerial Land Commission, Ms. Conceição Quadros, has made clear her intent to discuss the issue with the D/TA research team.

Commenting these debates, FRELIMO deputy Sérgio Vieira, one critic of the restoration of the traditional authorities, pointed out that the RENAMO proposals amount to a return to the colonial system which divided the African population into "*assimilados*," i.e. those Africans who adopted Portuguese culture and became subject to Portuguese law, and "*indígenas*," who remained under the authority of traditional authorities. "Few people perceive the contradiction between praise for democracy whose legitimacy is based on the citizens' vote, and support for a return to a feudal order based on lineage privilege. One should distinguish between citizens subject to pay homage to restored barons and others subordinate to the institutions of the State, legitimized by elections, the Constitution and the Law. In sum, this implies the reconstruction of the Indigenous Statute [the colonial Statute which defined the criteria for *assimilado* status, rights and obligations]."¹⁴

Sérgio Vieira's comments are not that far off the mark, since the draft legislation produced by the Project does in fact resemble the colonial order. This results from what seems an insoluble dilemma, i.e. how to involve traditional authorities in local governance without turning them into government servants and without prejudicing their status as community leaders? Although the proposed legislation asserts that "[t]he legitimacy of traditional forms of community organization derives from customary norms and cultural values accepted by the people," it cannot fail to insert the traditional authorities--now transmuted into "community chiefs" into the same intercalary role they experienced during colonialism, responsible for tax collection, census taking, policing against forest fires, disseminating government policy and reporting epidemics.

5. CONSTRAINTS

At different points since 1994, a number of problems arose in the relations between the AAI, the MAE and US-AID. The U.S. Project Manager quite frankly notes that these "were not minor problems, but rather strong difference of opinion over important project outputs." The most serious were over the brochures and the final CTD. After the mid-term evaluation, which was critical of the content and style of the brochures, AAI felt that the project was in too advanced a stage to identify a specialist in rural communication and to incorporate such a person into the NDA. Instead, at the request of the Ministry, Mr. Machava was given the task of simplifying the language and a graphic artist/layout person was selected by the Ministry to improve the overall presentation. AAI expressions of dissatisfaction with the final version were not welcomed by the Ministry which invoked the Cooperative Agreement to point out that AAI's role should be confined to the financial administration of the Project. Unable to exert influence over the style and content of the brochures, AAI's only "leverage" was control over funds. As a result, fewer copies of the brochures were printed than planned. The funds thus freed up were utilized to publish a second document which has been prepared by the U.S. Project Manager, based on the final report of the CTDs prepared by Ms. Lundin. This will complement the brochures and meet the terms of the Cooperative Agreement which stipulated the dissemination of civic education materials.

The disagreement during the final CTD was over the respective roles of AAI and the

¹³ Notícias, 14/07/97

¹⁴ Domingo, 20/07/97

D/TA team in the planning and financial control of the meeting. It was finally agreed that AAI would pass on their information about hotels and air fares, leaving the D/TA team to organize the logistics. In the end the Ministry decided to transfer the meeting from Maputo to Inhambane, very much against the wishes of AAI. This decision, coupled to a chronic indecision over the dates of the final CTD, had the result of reducing the desired level of national and international participation. Only one of the six-to-eight international guests who had planned to come actually arrived, there were few traditional authorities or NGOs present, and, as stated earlier, media coverage was must less than expected.

Although personality differences are not irrelevant to understanding some of these difficulties, they arose primarily because the rights and responsibilities of each of the principal institutional actors were not carefully defined in the Cooperative Agreement. This document attributed "administrative and overall responsibility" to the AAI, but by attributing "principal responsibility" for the technical direction of the Project to Ms. Lundin, it gave the MAE and Ms. Lundin the impression that AAI would confine itself to administration and the management of finance. It is to be regretted that an institution with such broad experience throughout Africa found it difficult to take a more active role.

A further constraint on the Project was also its greatest strength, namely the localization of the research within the Ministry of State Administration. The assumption underlying the decision to fund the research within the ministry and not in, say, an academic institution, was that, by having the backing of government, the research would have a more profound effect on policy. However, although the localization of the research team within the Ministry certainly facilitated and made possible the CTD component of the Project, it also curtailed the intellectual independence of the research and the more agile dissemination of research findings. Members of the research team indicated to me, for example, that they would have been interested in examining more carefully the structural conflicts between traditional authority and party cadres, or between the norms of customary law and the dictates of the Constitution, but felt constrained to adopt a more normative approach of which the brochures are the clearest example.

6. CONCLUSIONS

Since the D/TA Project was first conceived, Mozambique has emerged from a brutal civil war into a stable and productive peace, from a one-party state to an electoral democracy, and from a centrally-controlled socialist economy to the beginnings of a thriving market economy. Parallel to this, the basic freedoms of association and expression have been instituted for the first time since Mozambique came into being as a colony of Portugal. As part of this process, the government has initiated a decentralization program to which the D/TA Project has contributed by provoking a lively debate on the role of indigenous institutions in the construction of democracy in local government. At the beginning of the Project, D/TA staff advocated recognition of "authorities" as something of a panacea for almost all of Mozambique's ills, reducing crime and inter-generational conflict, guaranteeing peace and even bringing rain and fertility. As the Project progressed and as the peace held, the researchers and government itself became more realistic, preferring to avoid detailed legislation in favor of the fostering of informal collaboration between traditional institutions and government officials.

The decision not to press ahead with specific legislation which would have integrated traditional authorities into the formal structure of the state, far from being seen as a failure of the Project, should be understood as a victory. In the early 1990s it was probably necessary to overstate the case for the return of traditional authorities in order to counteract former FRELIMO attitudes and to bring the issue into public debate. By 1997, however, a more balanced position had become both possible and

advisable. Even the harshest critics of "tradition" have come round to the position that it is a force to be reckoned with. The question was now no longer whether traditional authorities were important, but just exactly what role they should play with other leaders in the construction of good local government. In the absence of specific legislation, distinct local communities can continue to develop their own forms of organization without programmatic interference from the State. There will be cooperation and alliance as well as tension and conflict between the various community stake holders, ranging from heads of kinship groups and *Grupos Dinamizadores*, through to religious leaders and local professionals, such as teachers and government officials. Traditional authorities in particular, without legal and financial backing from the State, can be expected to build up or lose prestige and power on the basis of their capacity to win and maintain the respect of their communities. This will depend on their performance as arbitrators of disputes, and their ability to bring "development" to their territories, forging alliances with NGOs, politicians and the like.

The Portuguese colonial project sought gradually to woo Mozambicans away from their "*usos e costumes*" to become "assimilated" to the virtues of "civilization." FRELIMO took this project one stage further, exhorting the people to abandon their "tradition" and to become "new men" overnight. One of the results of these two projects has been to consolidate an abyss between the urban educated elite and the rest of the country. I believe that the D/TA Project went some way to bridge this divide. Therein lies its greatest importance and impact.

7. RECOMMENDATIONS

Some of these difficulties encountered during the course of the Project are endemic to development projects where the agendas of donors and/or project staff and/or government officials change over time, or when one party or the other feels that the terms of the initial agreement are being disrespected. Administering such complex situations requires exceptional tact and diplomacy if the results are to be positive for all concerned. I would suggest that one of the best ways of administering these structural difficulties is to bring them into the open so that all participants become aware of the diverse constraints under which each operates. I therefore endorse the U.S. Project Manager's suggestion that in any future undertaking of this nature AAI should take care to identify a project manager with feelings of responsibility and loyalty to AAI but who has some authority and/or autonomy within the institution, to avoid making agreements with governmental institutions when elections are about to take place, to delineate clearly the responsibilities of each of the parties involved, and, above all, to create a joint forum for taking decisions regarding key aspects of the project.

The situation of relative flexibility at local level which now obtains in Mozambique provides an excellent opportunity for donors to assist the sedimentation of local institutions by helping foster dialogue between the principal stake holders, the "war of words," which is how so many of the people I talked to described the new democratic process. Zaone Morrumbala is a good example of how such dialogue can bring about mutual understanding and cooperation in the context of administrative uncertainty which presently exists in most rural districts. It is to be hoped that the experience gained under the Project will be useful in guiding interaction with traditional authorities and that the brochures will encourage activists to work together with local institutions wherever possible.

Another way in which the Project could be usefully harnessed to the task of building local democracy is to utilize the mass of information that has been gathered to develop the training component which was abandoned. Ms. Lundin agrees that one way of going beyond the more normative approach of the brochures would be to develop educational materials based on the presentation of real-life case studies of conflict and

dilemma which were collected during the research and which administrators have to face in their day to day work. In addition, it is strongly recommended that the DNA take steps to organize the material gathered during the research so that it can be freely consulted by researchers and other interested parties. If this proves difficult, the material could perhaps be lodged elsewhere, either in the Historical Archive or one of the universities.

Although there is no need to proceed with the type of research already undertaken, I would strongly advocate research of a more "ethnographic" nature preferably located in the more independent environment of the Eduardo Mondlane University or the Higher Institute for International Relations. US-AID might even consider building such a research component into its planned activities in support of local governance initiatives rather than depend exclusively on mid-term and final evaluations. Such research would accompany, describe and analyze local-level developments as these occur, observing carefully the interactions between the principal protagonists such as administrators, government employees, traditional authorities, religious practitioners, NGOs and the people as a whole. Independent and critical research of this nature would contribute to a greater understanding of the complex dynamics of social life and enable all those involved in the fostering of Mozambique's democratic development to take the wisest decisions possible.

APPENDIX I - PERSONS INTERVIEWED DURING THE EVALUATION

Aguiar Mazula, former Minister of State Administration, presently Minister of Defense, Maputo
 Alberto Pechisso, Assistant Administrator, District of Morrumbene, Inhambane
 Alfredo Gamito, Minister of State Administration, Maputo
 Alison Raphael, U.S. Project Manager, Washington
 Antonio Vasco Moulinho, Administrator, District of Sussundenga, Manica
 Bartolomeu Kupenya and Taurubwapwa, *ex-régulo*, District of Sussundenga, Manica
 Bicha Chapotoka, *ex-Régulo*, District of Gondola, Manica
 Célia Diniz, AAI Country Representative, Mozambique, Maputo
 Chakuza, village headman, District of Manica
 David Franco, District Director for Culture, District of Manica
 David Hedges, historian, Eduardo Mondlane University, Maputo
 Domingos do Rosário Artur, Provincial Director of the Cultural Archive (ARPAC), Manica
 Domingos Fernando, author of Brochure 2 "Social Organization in Traditional Society"
 Eduardo Coutinho Panganane, Administrador de Posto, Machipanda, District of Manica
 Eneas Comiche, Minister of Social and Economic Affairs, Maputo
 Felipe Siteo, Administrator of the District of Homoine, Inhambane
 Francisco Ferro Franco Massingue, Administrator, District of Homoine, Inhambane
 Francisco Machava, Director of DNA, MAE, Maputo
 Francisco Pateguana, Governor of the Province of Inhambane
 Gabriel Mirção, Administrator, District of Bárue, Katandika, Manica
 Gregory Myers, Land Tenure Center, Maputo
 Hamido Mucussete, author of brochure No. 4, "Land and Environment"
 Iraê Lundin, anthropologist, Ministry of State Administration and Higher International Relations Institute, Maputo
 Jamisse Taimo, Rector, Higher Institute of International Studies, Maputo
 Jono Mutombene, Director, ORAMU (Rural Self-Help Organization)
 Jono Paulo Coelho, historian, Eduardo Mondlane University
 José Fernando Tafula, Director de Apoio e Controlo, Manica Province
 José Luis Cabaço, former Minister of Transport and Director obãno Productions
 Luis Covane, Director, ARPAC (Cultural Archive)
 Luis Vilanculo, Assistant Administrator, District of Homoine, Inhambane
 Machavele, *ex-régulo*, District of Homoine, Inhambane
 Manuel Alberto, Administrador de Posto, Dombe, District of Sussundenga, Manica
 Manuel Augusto, First Secretary Frelimo, Machipanda, District of Manica
 Orlando Nhankale, author of brochure No. 5 "Norms, Rules and Traditional Justice: How to avoid and resolve conflicts?"
 Raimundo Tchukela, *ex-Régulo*, District of Morrumbene, Inhambane
 Manuel Augusto, *ex-régulo*, District of Manica
 Scott Cleck-Jensen, Land Tenure Center, Maputo
 Sergio Gusman, US-AID, Maputo
 Tenese Chikonyora, incumbent of the Samanyanga chiefship, District of Bárue, Manica
 Thomas Johnson, US-AID, Maputo
 Zínia Gabriela Lopes Menete, Directora Provincial de Apoio e Controlo, Inhambane

**APPENDIX II - DRAFT LEGISLATION PREPARED BY MAE AND
SUBMITTED TO THE COUNCIL OF MINISTERS**

1. The State recognizes and encourages the existence of forms of organization of local communities based on the cultural roots of the people and in customary law.
2. The recognition of traditional forms of community organization will follow existing institutional norms.
3. The legitimacy of traditional forms of community organization derives from customary norms and cultural values accepted by the people.
4. The exercise of traditional forms of community organization will be carried out in strict respect for the Constitution and other laws.
5. State recognition of traditional forms of community organization is based on the interaction of the following fundamental principles:
 - (a) Consolidation of national unity;
 - (b) Promotion of an integrated development program for the country
 - (c) Strengthening national identity;
 - (d) Respect for the social and cultural specificity of communities;
 - (e) Popular participation in public life and the building of democracy.
6. Traditional forms of community organization can intervene in the administration of the land, resolution of minor conflicts, collecting of taxes, development of production and commercialization, maintenance of peace and health and the conservation of the environment. The delimitation of the areas of jurisdiction of the community administration will be defined according to the rules of customary law.
7. Traditional forms of community organization will consist of a community chief and a Council. In consonance with local tradition and custom, the community chief may allocate responsibilities to members of the Council, create areas of competence within the Council and create other structures within community organization.
8. The choice, election or naming of chiefs and other community representatives and also their destitution will take place according to recognized community norms. The nomination or destitution of chiefs will be confirmed by the Provincial Government, respecting customary law. The nomination or destitution of other community representatives will be confirmed by the District Administrator, respecting customary law.
9. In relation to the competencies defined in Article 6, community chiefs should:
 - (a) Collaborate with and be consulted about matters concerning the land;
 - (b) Act as conciliators within their communities and collaborate with local courts as set out in Article 63 of Law 10/92 of May 6;
 - (c) Collaborate with the collection of taxes;
 - (d) Disseminate and participate in the implementation of decisions taken by municipal and central governments;
 - (e) Collaborate with national censuses;
 - (f) Collaborate in the maintenance of health and in the prevention of epidemics and contagious diseases;
 - (g) Collaborate in the prevention of fires, illegal hunting and fishing, and other activities harmful to the environment;
 - (h) Promote local production and commerce.
10. Community chiefs will hold traditional distinctive symbols and other that might be legally established. They will have the right to a salary in compensation for their activities, to attend official ceremonies and to utilize the symbols of the State.
11. Community chiefs will act in coordination with the State through:
 - (a) Periodical meetings with local officials, in particular the Provincial Governor;
 - (b) Meetings with other government officials nominated to that effect.
12. Chiefs and other community representatives will be criminal and civilly responsible for their acts.

13. Community chiefs will collaborate with other chiefs. Various community chiefs may form associations which should maintain regular contact with the state apparatus.